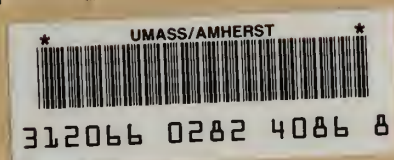


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CHILDREN'S RIGHTS

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MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS  
Office for Children  
120 Boylston Street  
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## INTRODUCTION

In response to numerous requests received by the Legal Unit of the Office for Children for information on children's rights, we have prepared this package of materials. Included are an overview of statutes affecting children in Massachusetts, constitutional rights and important federal cases concerning the rights of children and a description of services which Massachusetts state agencies are required to provide for children.

This package is not aimed at providing an in-depth study of the rights of minors -- rather it is an outline from which to proceed and a brief inventory of those legal rights and concepts affecting children about which information is frequently requested.

Through Help for Children, a statewide network of information and referral, case management and advocacy services, the Office helps parents and children obtain needed services and exercise their legal rights. If you have any further questions regarding your rights or responsibilities as a parent or a child you should contact the Help for Children office in your area. A list of the Help for Children offices indicating the area they serve can be found at the end of this material.

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## CHILDREN'S RIGHTS

### I. Historical Overview

The English common law tradition, upon which the American legal system is based, recognized long ago that the legal status of children is different from that of adults. According to the doctrine of parens patriae, a philosophy originating in the English courts of the 1700's, the state has the authority to determine what is in the best interests of a child when the child's parents are unable or unwilling to care for him or her. This authority clearly contrasts with the court's responsibilities regarding adults, and forms the basis of a legal philosophy concerning children which has remained dominant throughout the years. The doctrine of parens patriae was originally used to empower the courts to act in place of parents, for the purpose of protecting the child's interests in property, as well as in care, protection and maintenance. This limited doctrine has since evolved into a generalized attitude toward children which permits the state to act in the child's best interest, as a sort of benevolent parental authority. Parens patriae has been recognized by the Supreme Court as a rationale for according different treatment and status to children and adults under the law. Prince v. Massachusetts 329 U.S. 158 (1944), and In Re Gault, 387 U.S. 1 (1967).

At the beginning of this century, the parens patriae doctrine served as the basis for the creation of a separate court system for juveniles, aimed at treating criminally accused juveniles in a manner which recognized the differing status traditionally accorded them. The emphasis in juvenile courts was to be on rehabilitation and treatment, as opposed to "corrections", since the underlying belief was that juvenile crime resulted from some lack of care or guidance which, if properly administered, would deter delinquent youths from continuing criminal or undesirable behavior. The juvenile court system was to stress the provision of services, and facilities for juveniles were built so that the total separation of children from adults could be accomplished. Unfortunately, the training schools and other juvenile facilities which were created often did not practice the rehabilitative treatment methods consistent with the underlying philosophy of the juvenile justice system.

In addition, as a result of this belief in the essential difference between children and adults under the law, it was deemed inappropriate to subject criminally accused juveniles to the same court proceedings as accused adults. The argument was that criminal proceedings for juveniles ought to address the need for treatment and rehabilitation, while the primary concerns of adult criminal proceedings are the establishment of innocence or guilt and the provision of punishment for the adult criminal. Therefore, along with an intent to minimize the possible detrimental effects of full court proceedings, the important legal safeguards guaranteed to adults on criminal trial were denied to juveniles. The judge (the state's embodiment of the parens patriae power) was given the authority to hear and decide juvenile cases, and the emphasis on discovering the need of the child for treatment or rehabilitation allowed the court to expose all relevant facts at the expense of those due process safeguards accorded adults. These safeguards were considered unnecessary obstacles since the child was to be rehabilitated, not punished.

In the last twenty years, a number of significant court cases have established that although children have, and deserve, different status and treatment under the law, they are entitled to many of the constitutional rights that adults enjoy. The argument that the state acts in the best interests of the child no longer justifies the denial of certain rights to minors. Other cases have been decided unfavorably to the rights of children, and these are areas in which reform is needed.



The following is a discussion of some of the cases that have recognized the child's constitutional rights, as well as some cases which have had a negative impact on the rights of children.

## II. Constitutional Rights

### A. Juvenile Justice

The landmark case concerning the juvenile justice system was In Re Gault, 387 U.S. 1 (1967). In that case, the Supreme Court decided that a juvenile was entitled to certain constitutional safeguards in juvenile court proceedings. The holding was based on the court's observation that the parens patriae philosophy failed to guarantee that a juvenile would receive fair treatment in a juvenile court. In correcting this failure, the Court stated that a juvenile accused of delinquency is entitled to notice of the charges, described in particularity; the right to legal counsel; and the Fifth Amendment protection against self-incrimination.

Three years after the Gault decision, the Supreme Court again recognized the serious nature of a delinquency adjudication in In Re Winship, 397 U.S. 359 (1970). The court ruled in Winship that delinquent conduct must be proved "beyond a reasonable doubt," as in adult criminal proceedings. Previously, it was permissible to find a minor delinquent by a preponderance-of-the-evidence, a standard which is lower than the criminal standard for adults.

### B. Right to Treatment

A recently recognized concept in the area of constitutional law is the right to treatment. The concept stems from the due process clause of the Fourteenth Amendment, which prevents government from taking away a person's liberty without due process (e.g., the rights to retain legal counsel, confront and examine witnesses, and to remain silent, and the requirement that a jury find the defendant guilty beyond a reasonable doubt).

In non-criminal commitment proceedings, the full range of due process rights is not required, on the theory that civil commitment does not entail the same deprivation of constitutional rights as criminal incarceration. However, the only justification for allowing relaxation of due process in commitment cases is that the court, supposedly acting in the best interests of those committed (as well as of "society"), is authorizing treatment, not punishment. Right to treatment cases have argued that any involuntary commitment, regardless of whether it is civil or criminal in nature, substantially deprives a person of the constitutional right to liberty, and therefore must occur only through proper due process.

In Wyatt v. Stickney, 325 F. Supp. 781, 784 (Ala., 1971), (affirmed by the Circuit Court, 503 F.2d 1305 (5th Cir. 1974)), a federal district court held that persons civilly committed to an institution for the mentally ill were entitled to adequate treatment. The principle established in Wyatt is the basis for holding in Morales v. Turman, 364 F. Supp. 166 (Tex., 1973) that juveniles committed to state institutions are similarly entitled to adequate, individualized treatment. That court stated:

(T)he commitment of juveniles to institutions under conditions and procedures much less rigorous than those required for the conviction and imprisonment of an adult offender gives rise to certain limitations upon the conditions under which the state may confine juveniles. The doctrine has been labelled the "right to treatment", and finds its basis in the due process clause of the fourteenth amendment. (Morales, supra at 175).

The Morales court found that adequate treatment could not be provided by large, isolated institutions and ordered the state to close these institutions and place juveniles in need of institutional care in facilities holding no more than fifty people, in communities close to the juveniles' home communities.

In another case, J.L. v. Parham, 412 F.Supp.112 (M.D.Ga.1976), a Federal District Court in Georgia struck down as unconstitutional a Georgia statute providing that parents, with the agreement of hospital superintendents, could commit their children to mental hospitals until their eighteenth birthday. The court indicated that due process includes the child's right, after notice, to a hearing before an impartial tribunal. The court further commented:

Unfortunately, as the evidence indicates, there are some parents who abuse that authority [to commit their children] and who...look upon mental hospitals as a "dumping ground". Where "the state undertakes to act in parens patriae, it has the inescapable duty to vouchsafe due process..., and this necessarily includes procedural safeguards to see that even parents do not use the power to indefinitely hospitalize children in an arbitrary manner."

An appeal to the U.S. Supreme Court is pending in this case.

A federal district court in Pennsylvania, in the case of Bartley v. Kremens, 402 F.Supp.1039 (1975), also stated that children were entitled to certain due process rights before being committed to mental institutions. However, before this case was decided by the Supreme Court on appeal, Pennsylvania changed its laws to provide greater protection for certain groups of children (primarily those fourteen and older). The Supreme Court, without deciding the case, vacated the district court's decision and sent the case back to the district court for a reconsideration of which class of children would remain involved in the suit. There has been no final decision in this case.

The right to treatment argument has become an increasingly important and relevant one in attempting to secure fairer and more effective ways of dealing with juveniles involved in the juvenile justice and social service systems.

### C. Education

In recent years, the courts have recognized that children are entitled to certain constitutional protections in connection with the educational process. In Tinker v. Des Moines School District, 393 U.S. 503 (1969), the Supreme Court held that the First Amendment guarantee of freedom of speech applies to students in school. The court held that student expression of unpopular views cannot be prohibited unless a school can prove that there is a substantial likelihood that the educational process will be disrupted as a result of such expression. However, the

court further explained, the mere existence of controversy and unrest provoked by such expression does not empower schools to limit expression.

Although the Supreme Court's landmark school desegregation decision, Brown v. Topeka Board of Education, 347 U.S.483 (1954) is most often cited for its holding that racial classifications are unconstitutional and that "separate but equal" schools are inherently unequal, it may also be cited for its recognition that school authorities have the responsibility to provide an adequate education to all children on an equal basis. In Mills v. Board of Education of the District of Columbia, 348 F.Supp. 866 (D.D.C.,1972) the Federal District Court of the District of Columbia declared that children in the District have a constitutionally protected interest in obtaining an education, and that the Board of Education was obligated to provide appropriate instruction and resources to children with special needs. The court also held that a special needs child is entitled to a formal hearing before he or she could be excluded from the public schools.

Another education-related case, Goss v. Lopez, 95 S.Ct. 729 (1975) was directed at the abuse of disciplinary suspensions and expulsions in schools. The Supreme Court held that even where a suspension of less than ten days is contemplated, a student has the right to be informed of the reasons for the proposed suspension and must be given the opportunity to present his or her side of the story.

However, although the Supreme Court decided that education is a constitutionally protected right and children deprived of education for disciplinary reasons are entitled to some rights, the court has ruled that the use of corporal punishment for disciplinary reasons is not contrary to constitutional rights. In Baker v. Owen, 395 F.Supp. 294 (N.C.,1975), a Federal District Court in North Carolina ruled that a child who was subject to corporal punishment over his mother's objection and without procedural due process, was not denied his constitutional rights. In the court's opinion the parent's contention that such punishment violates the constitutionally protected concept of family privacy is outweighed by the school's interest in "the maintenance of order", which is "sufficient to sustain the right of teachers and school officials to administer reasonable corporal punishment for disciplinary purposes." The District Court did, however, agree that students must be afforded "minimal due process" when corporal punishment is used. The Supreme Court affirmed the lower court's decision in Baker v. Owen, 96 S.Ct. 210 (1976) but unfortunately, did not rule on the paragraph requiring due process safeguards, leaving that question once again open to decision by lower courts.

A Federal Court of Appeals ruled, in the case of Ingraham v. Wright, 525 F.2d 909 (5th Cir., 1976), that the use of corporal punishment does not violate the Eighth Amendment prohibition of "cruel and unusual punishment", and further, that the refusal to allow a hearing of some kind before inflicting such punishment does not amount to deprivation of the student's due process rights. In the court's opinion the Eighth Amendment refers to criminal punishment, and is therefore not applicable to corporal punishment for a civil offense. Although any assault or infliction of injury may result in a criminal complaint, including severe corporal punishment in schools, such matters are handled at the state level and are not matters for federal courts to decide. The Ingraham court further ruled that since the due process paragraph had been left out of the Baker v. Owen Supreme Court case, it was not bound to uphold the Federal District Court of North Carolina's finding that due process safeguards must be afforded to children subject to corporal punishment.



It is important to note that Massachusetts law prohibits any use of corporal punishment in public schools (private schools are not affected). The federal cases discussed above do not alter this prohibition in Massachusetts.

The above survey of some of the recent federal cases involving children's rights indicates some positive steps toward recognizing that children are entitled to certain rights which they were previously denied. It also points out some areas where children are still subject to certain laws and actions simply because they are not adults.

The following sections describing children's rights in Massachusetts and the responsibilities of various Massachusetts agencies with regard to children will give some idea of what changes have occurred in the Commonwealth's view of children under the law, and what areas are in need of change.

### III. Massachusetts - Responsibilities Regarding Children

In general the Massachusetts General Laws share the concerns of other states and the federal courts for protecting children and assuring that any state involvement with children will consider the best interests of the child to be of highest importance. Various state agencies and departments have responsibilities regarding children which are mandated by law. This section will enumerate some of the important areas of Massachusetts law pertaining to the rights of children. Again, this is an overview of some of the most frequently requested information and ought not to be used as a definitive source, but rather for reference purposes. It is also important to note that laws are frequently changed, and for the most accurate information the Massachusetts General Laws should be consulted.

#### A. Education - M.G.L. Chapters 15 and 69 through 78

M.G.L. c.15 establishes the Department of Education with a separate Division of Special Education. Additional laws governing education are found in chapters 69-78.

The following are some important education statutes:

1. Chapter 71 establishes the system of public schools, describes the jurisdictional limitations and powers of various officials, and requires the public schools to provide instruction in certain subjects, such as reading, arithmetic, history, civics, health education, etc.
  - (a) Chapter 71, §34E gives any student over eighteen and the parent of any student under eighteen the right to inspect all documents that comprise the student's school record.
  - (b) Chapter 71, §37G prohibits the use of corporal punishment as a disciplinary measure in public schools.
2. Chapter 71A mandates that bilingual instruction must be provided for children whose primary language is not English.
3. Chapter 74 contains the laws pertaining to vocational education.

4. Chapter 76 contains the school attendance laws.

- (a) Chapter 76, §1 mandates school attendance for children between a minimum and a maximum age fixed by the board of education (currently between 6 and 16 years of age). It describes the various methods for complying with this mandate. The chapter also provides legal recourse for children who are unlawfully excluded from school, and entitles students and their parents to a hearing before the students may be expelled.
- (b) Chapter 76, §5 mandates that a child has the right to attend the public schools of the town where he or she actually resides. This section has traditionally been construed literally; children who actually live in a town are entitled to be admitted to its public schools, regardless of whether they are living with their natural parents, other relatives, or in a foster or group home or other living arrangement.
- (c) Chapter 76, §6 indicates that if a child is residing temporarily in a town other than the legal residence of his or her parent or guardian for the special purpose of attending school there, the town may recover tuition from the parent or guardian. A school or town may not, however, condition a child's right to attend school upon the payment of tuition. The right to recover tuition is separate from a child's right to attend school under §5 above. Whether a child is living temporarily in a town for the special purpose of attending its schools is a question of fact to be determined from the circumstances of the particular case. The school committee of the town may, however, waive all or part of the tuition charge for such child.

5. Chapter 71B is the special education law, established by Chapter 766 of the Acts of 1972. Chapter 766 acknowledged the right of all children to an education, including children who may have been previously excluded from public schools or otherwise unable to receive adequate education because of disabilities arising from physical, emotional or environmental factors, or other learning disabilities. Chapter 71B sets forth procedures for identifying and serving the educational needs of children with special needs.

Regulations for the implementation of Chapter 766, issued by the Department of Education with the approval of state human service agencies, were originally promulgated in 1974. Reviewed and amended in 1975, the regulations set out extensive guidelines and procedures for implementing the act. Although problems due to confusion over responsibility for, and lack of, funding have plagued the 766 process, the legal guarantee of an adequate, publicly supported education for all children in the Commonwealth has given to children, and parents of children, with special needs the recourse necessary to secure vital evaluative services and appropriate educational resources.

## B. Services

The Commonwealth provides a variety of services for children, many of which are mandated by law. The agencies which bear the greatest responsibility for serving children are the Departments of Public Welfare, Public Health, Youth Services, Mental Health and the Office for Children.

### 1. Department of Public Welfare - Chapter 119

The Department of Public Welfare (DPW) was established by M.G.L. c.18. That statute requires the department to provide a number of services, many of which are geared to children and families. In general, chapter 119 contains the Commonwealth's laws which are aimed at remedying the harmful effects resulting from the absence, inability, inadequacy or destructive behavior of parents or parent substitutes, and assuring good substitute parental care in the event of the absence, temporary or permanent, forced or voluntary inability or unfitness of the parents to provide care and protection for children. This responsibility for the care and protection of children is the logical extension of the state's parens patriae power, and in fact most court proceedings involving children come under this chapter. Those proceedings will be explored in a later section.

The services for which DPW is responsible include family casework and counseling, protective services, family foster care and adoption, and day and residential care.

#### (a) Foster Care - M.G.L. Chapter 119, §§22-23E

DPW's responsibility for foster care includes:

- visiting and approving family foster homes not supervised and approved by a licensed placement agency (§22)
- providing foster care through its own resources or through the use of appropriate agencies, for children who come into the department's care on a voluntary basis, or on order of probate, district or juvenile court (§23)
- providing foster care to children abandoned by their parents (§23(E))

#### (b) Adoption - M.G.L. Chapter 119, §23; Chapter 210; Chapter 28A, §11

The majority of the laws concerning adoption are found in chapter 210. These laws regulate the surrendering of children for adoption, dispensing with required consent in certain cases (c.210, §3), the responsibilities of the Department of Public Welfare to evaluate the adoptability of children and the fitness of prospective homes (c.210, §5A), along with the specific legal details of the adoption process.

The Department is mandated to place in adoptive homes children whose parents consent to adoption. If unable to place them within 60 days of consent, the Department must notify all licensed adoption placement agencies and request them to find homes for such children (c.119, §23(f)).



(c) Services to Unwed Mothers - M.G.L. Chapter 119, §23B

The Department of Public Welfare provides services to mothers bearing children out of wedlock.

(d) Protective Services - M.G.L. Chapter 119, §§51A-51F

DPW is the agency responsible for providing protective services for abused or neglected children. Chapter 119, §51A requires certain professionals who work with children (medical, social work, teachers, police, etc.), known as "mandated reporters", to report to the Department of Public Welfare any belief that a child under the age of eighteen is "suffering serious physical or emotional injury" resulting from abuse or neglect, including sexual abuse. The Department's mandate includes investigating and evaluating reports of abuse and neglect, taking into temporary custody children who are found to be in danger, offering appropriate social services to prevent further injury to the child, purchasing and/or utilizing protective services of private agencies (c.119, §51B).

Although only certain people are required by law to report child abuse or neglect, the Department must investigate all reports, and any person who suspects such condition can report it to the Department.

The statute also provides that the department must maintain a "central registry of information" identifying children who are reported to the Department under §51A or §51B. These records are confidential and may only be available "with the approval of the commissioner or upon court order". (c.119, §51F). The central registry is not yet in operation. The Department is currently studying the issue with an eye toward setting up a central case management and information system.

In addition, children who are suspected to be suffering from abuse or neglect may be taken to a hospital and kept there for care and custody over the objection of a parent or other person, if a judge believes that release of the child would be detrimental to the child's health or safety (c.119, §51C).

(e) Day Care and Aid to Families with Dependent Children - Title XX

Under Title XX, a federal program providing funds for social service programs, the Department of Public Welfare is the single state agency charged with administering federal funds, approving contracts for services purchased, and developing a plan for social services in Massachusetts.

One of the major services which the Department of Public Welfare provides is day care services to those eligible under the Department's regulations.

In addition, DPW administers the Aid to Families with Dependent Children (AFDC) program under M.G.L. c.118, and the Medical Assistance program under M.G.L. c.118E, §15.



## 2. Department of Mental Health - Chapter 19; Chapter 123

The Department of Mental Health's primary responsibilities regarding children are the operation of schools for the mentally retarded and the state's mental health hospitals. Chapter 123 governs what services DMH must provide and under what circumstances people, including children, with mental health problems may be committed to the Department's care.

### (a) Treatment and Commitment

A court may commit a person to a DMH facility if the court finds that failure to hospitalize the person would create a likelihood of serious harm, by reason of mental illness, to the person or to others (c.123, §§7-8). Under §§10 and 11, a person over sixteen may make application to be admitted to a DMH facility if the person is determined by the superintendent of the facility to be in need of care and treatment. The parent or guardian of a person under eighteen years of age may voluntarily admit such a minor to a DMH facility, according to c.123, §10. No hearing is required. However, the recent case, J.L. v. Parham (cited on page 3) may affect this part of the statute, calling into question the constitutionality of voluntary admittance of children, by their parents, to mental institutions without any hearing or other rights for the child.

### (b) Drug Rehabilitation

Any person who believes he or she is drug dependent may apply for admission to a drug rehabilitation facility (c.123, §45). The Division of Drug Rehabilitation (DDR) under the Department of Mental Health, is responsible for providing rehabilitative services and programs for drug dependent persons. In addition to voluntarily seeking admission to such a facility, any person charged in a court proceeding with a drug offense must be informed that he or she may request an examination to determine drug dependency and if treatment would be of benefit. If drug dependence is found, the court may assign the person to a drug facility. Youthful offenders may be referred to DDR by the Department of Youth Services for treatment of drug-related problems (§50).

A minor twelve years of age or older who is found to be drug dependent by two or more physicians may give his or her consent to medical treatment for such drug dependency, without the consent of parent or guardian (c.112, §12E.)

### (c) Mental Retardation

A major part of DMH's responsibilities regarding children is in the area of mental retardation. In addition to the state schools for the mentally retarded, and the state hospitals, DMH is responsible for establishing and maintaining Community Clinical Nursery Schools (CCNS) for retarded children in any city or town where six or more children are in need of such a program.

The Department of Mental Health also provides early intervention for children under six, day care programs, respite emergency care, family care and community residential settings for mentally retarded children.

(d) Community Mental Health Services

The Department of Mental Health also provides care through community mental health centers, mental health clinics, and guidance clinics. Mental health centers have both in-patient and out-patient services and offer care at the community level. The clinics offer mostly out-patient services, such as counseling and referral services, also at the community level.

The Department also offers programs for Drug Self Help and Alcoholism Treatment.

(e) Other

A juvenile court may order a psychiatric examination or observation period for an alleged delinquent in a DMH facility in order to aid the court in its disposition. Such observation period may not exceed forty (40) days (c.123, §15).

DMH must provide instruction, education and work programs where appropriate for people under its care (c.123, §29).

3. Department of Public Health - Chapter 76, Chapter 111

The Department of Public Health has a number of responsibilities related to children's health. The Division of Family Health Services of DPH operates a number of facilities through the state for multiply handicapped and handicapped children. These range from intensive pediatric nursing homes for the severely handicapped to outpatient clinics designed to meet the needs of children who require on-going therapy. Other services provided by DPH according to its statutes include:

- (a) hearing tests for preschool children (c.111, §67F-H)
- (b) care of premature babies (c.111, §67A-D)
- (c) test for sickle-cell anemia (c.76, §15A)
- (d) testing for genetically linked diseases (c.76, §15B)
- (e) immunization of school children (c.76, §57)
- (f) physical examinations for school children (c.71, §57)
- (g) lead paint poisoning prevention program (c.111, §§192-197)
- (h) issuing regulations governing procedures for administering psychotropic drugs to children (c.71, §54B).

DPH maintains and generally supervises the Massachusetts Hospital School (c.111, §62I-S) for the education and care of crippled and deformed children. The Department pays the costs for those children who cannot afford this service.

DPH also administers financial aid to multiply handicapped children under c.111, §4J.

4. Department of Youth Services - Chapters 18A, 119, 120

The Department of Youth Services, created by M.G.L. c.18A, is primarily responsible for juveniles committed to its care by the courts because of delinquent behavior. Children under seventeen who are awaiting trial or are adjudicated as delinquent may be committed to DYS. The Department can provide a variety of services, including foster care, group care, counseling. DYS is also required to provide a comprehensive program of delinquency prevention and services (c.18A) as well as community services for delinquent youth. Chapter 120 describes DYS' responsibilities for maintaining and supervising facilities for delinquent youth. In addition to placing children in its own facilities, DYS is authorized to purchase services from private agencies, where appropriate.

In line with the current move toward deinstitutionalization, DYS is attempting to find alternatives to the traditional institutional facilities which have rarely been effective for the rehabilitative purpose for which programs for youthful offenders should be designed.

Chapter 120 describes in detail the powers of the Department, the avenues through which children are committed and discharged, and the Department's procedures and responsibilities regarding diagnosis, treatment, detention, etc.

5. Office for Children - Chapter 28A

The Office for Children has a unique mandate. It is not a service agency, though it is under the Executive Office of Human Services. The Office's main responsibility is to advocate for the interests of the children of the Commonwealth. As such, it performs these functions:

(a) Licensing, Monitoring, Evaluation

The Office is charged with licensing day care, group care and temporary shelter care facilities, and foster care and adoption placement agencies, both in the private and public sectors. Licensing regulations are designed to insure the health and safety of children, as well as to set program standards. In addition, the Office is responsible for monitoring programs, evaluating their effectiveness and compliance with laws and regulations.

(b) Information and Referral

Through Help for Children, a statewide network of information and referral, case management and advocacy services, the Office helps parents and children obtain needed services and exercise their legal rights. Help for Children also provides data which is used in determining the need for and availability of services in each local area.

(c) Community Development

Local citizen Councils for Children are responsible for the evaluation and monitoring of existing services, determining the needs and setting of service priorities for each area.



(d) Preparing and lobbying on legislation affecting children.

(e) Projects

The Office has undertaken special projects involving particular groups of children in need of advocacy. One such project, the Bridgewater Alternatives Project, found alternative placements for children placed at the Bridgewater State Hospital, an institution for the criminally insane under the Department of Corrections.

The Office is currently involved in coordinating a special project on the problems of child abuse and the protective service delivery system.

With its broad mandate, the Office for Children is the agency which extends to children, long a politically powerless group, the beginnings of representation in government and the assurance that their interests will not be overlooked.

C. Children and the Courts

M.G.L. chapter 119 provides for three types of legal proceedings through which the Commonwealth may assume custody or care of a child. These proceedings deal with delinquency, children in need of services (CHINS), and care and protection.

1. Delinquency Proceedings - Chapter 119, §§52-84

A delinquent child is any child between the ages of seven and seventeen (that is, up to his seventeenth birthday) who "violates any city ordinance or town by-law or who commits any offense against a law of the Commonwealth" (§52). Children involved in delinquency proceedings are entitled to all the rights provided for by In Re Gault and In Re Winship, two Supreme Court cases discussed earlier.

Sections 53-64 of chapter 119 describe the nature of the proceedings and detail the process for hearing, adjudication, appeals, placements, etc. Sections 60 and 60A govern access to and uses of juvenile delinquency records; c.276, §100B provides for the sealing of those records.

Delinquency proceedings are heard in juvenile court, or the juvenile session of a district court. The judge decides the juvenile case and may order the child adjudicated delinquent to be placed on probation or committed to the Department of Youth Services.

The law also provides for the transfer of juveniles who would be subject to a delinquency complaint to superior courts for criminal trial as adults. This is known as "bindover". Chapter 840 of the Acts of 1975 amended the laws regarding bindover practices to limit the class of children who may be bound over to those who (1) had been previously committed to DYS and committed an offense which, if he were an adult, would be punishable by imprisonment in a state prison; or (2) has committed an offense involving the "infliction or threat of serious bodily harm" (§§61(a) and (b)), and the



offenses were committed when the child was between fourteen and seventeen years old. Once the juvenile court finds that one of these two conditions is satisfied, it may make a determination that the child presents a significant danger to the public and is not amenable to rehabilitation as a juvenile, and may (but need not) bind the child over to the Superior Court for trial as an adult. Chapter 840 of the Acts of 1975 also prevents juveniles from being tried twice, once in juvenile court and again in superior court, for the same offense.

## 2. Children in Need of Services - Chapter 119, §§39E-39J

A child in need of services, a "CHINS kid", is a child under seventeen who persistently runs away from home or persistently refuses to obey the lawful and reasonable commands of his parents, resulting in his parents' inability to provide care and protection, or a child between the ages of six and sixteen who persistently and wilfully fails to attend school or persistently violates lawful and reasonable school regulations.

The CHINS Act, Chapter 1073 of the Acts of 1973, was an attempt to reform the laws making truancy, running away and being a "stubborn" child a delinquency offense. Today, under the CHINS law, a child in need of services is not subject to a delinquency proceeding and may not, after adjudication as a child in need of services be committed to any "institution designated or operated for juveniles adjudicated delinquent." (§39G). Under the CHINS Act, a "CHINS petition" may be filed by any supervisor of attendance alleging that a child between six and sixteen has failed to attend school or obey the reasonable and lawful school regulations or by a parent, guardian or police officer alleging that a child under seventeen has committed one of the non-school related CHINS offenses. After the CHINS petition is filed, the juvenile court holds a hearing to determine whether or not to issue the petition. If the court finds that there is no probable cause to believe that the child is in need of services, it should decline to issue the petition. Similarly, if it finds that the child will be best served on an informal basis through the probation department, it should decline to issue the petition. If neither of the above findings are made the court will schedule a trial on the merits to determine if the child has committed a CHINS offense and, if so, what "services" the child needs. Pending such a hearing a child may be held in detention for up to 45 days if certain findings are first made by the court and no bail is posted. (§39H). Any court order relating to the child's disposition in a CHINS case will remain in effect for six months and may be extended for additional six month periods if certain findings are made.

Although the CHINS Act officially removed the stigma of delinquency from those children who commit a CHINS offense and although a CHINS kid is deemed to be "in need of services" rather than "delinquent" and may be placed under the custody of the Department of Public Welfare, rather than the Youth Services Department, serious questions exist as to the nature and effectiveness of the CHINS law. First, it is arguably inconsistent that children

who commit such "offenses" and who are in need of social services should be subject to court proceedings, detention and substantial loss of liberty in order to receive those services. Second, the lack of truly effective services, responsive to the needs of children who reject their home and school environments, leaves many children who are adjudicated "CHINS kids" with few positive alternatives to the life situations that brought them before the court in the first place. Finally, the underlying assumption of the CHINS law is that the child is unruly and must be forced, through court action, to accept help. This assumption clearly places blame on the child for actions which may be the perfectly natural and appropriate reaction to a detrimental home or school situation for which he or she is not responsible. These and other considerations have led a number of groups to begin working for the reform or repeal of the CHINS law.

### 3. Care and Protection - Chapter 119, §§24-29

While CHINS and delinquency proceedings focus on the behavior of the child, care and protection proceedings focus on the quality of care provided to the child by his or her parent or guardian. The purpose of care and protection laws is to protect the health and welfare of children by offering services to parents who need help in providing the necessary care and protection for their children, or if the parents are found to be unable or unwilling to care for their children, by transferring custody of their children to the Department of Public Welfare or another person or persons qualified to provide such care.

Care and protection proceedings are initiated by the filing of a "C&P petition" which alleges that a child is without proper care and discipline, growing up under conditions damaging to his or her character development, or without parents who are able or willing to provide adequate care and attention for the child (§24). Although C&P petitions are most often filed by those whose jobs include contact with children and families, such as school, hospital, social service personnel and police, anyone may file such a petition. Care and protection proceedings may also arise out of abuse and neglect reports and investigations initiated pursuant to Chapter 119, §51(A) and discussed on page 8 of this pamphlet.

Within a day or two after the filing of a C&P petition, a hearing is held to inquire into the facts alleged in the petition. At this "show cause" hearing, it is up to the parents to show cause why the child should not be committed to the temporary custody of the Department of Public Welfare. Because of the heavy burden of proof upon the parents at this hearing, petitions are rarely dismissed at this point. At the show cause hearing, the court appoints an investigator, who is a social service worker from an agency involved in some aspect of child care to investigate the conditions affecting the child and prepare a report on these conditions. The child's parents have a right to be represented by counsel. The child may also be represented by counsel when the court, in its discretion, determines that the appointment of counsel is required in the interest of justice (§29).

The investigator usually has about six weeks to prepare a report before the hearing on the merits of the case. During this period the court may give temporary custody of the child to some suitable person or to the Department of Public Welfare. As a result the child may be removed from his or her home and placed in foster care. At the hearing on the merits, the social worker's findings are presented to the court, and the parents' lawyer, as well as the child's lawyer if one has been appointed, present evidence and argument on behalf of their clients. Based upon the social worker's report and all of the other testimony received, the court may adjudge the child to be in need of care and protection and may make any appropriate order, including commitment to the Department of Public Welfare, which the court considers to be in the best interests of the child. An adjudication that a child is in need of care and protection may be appealed to the appropriate superior court. (§27). The court may also, in its discretion, order payments by the parent or guardian for the support of a child placed outside his home.

These proceedings are the state's method of protecting the health and safety of children when the family is not adequately performing those functions. However, there are some aspects of the process which are in need of clarification and, in some cases, change. First, as mentioned above, one possible disposition of a C&P petition will be to place the child in the custody of the Department of Public Welfare. In many cases, the child's removal from the home is ordered as a temporary measure while the family is aided and provided with appropriate social services with the intention and the hope that the child will be reunited with his family at some later time. Oftentimes, however, this temporary removal of the child becomes permanent due to the department's inability to provide the needed services to the family and not necessarily to the irremediable family situation or environment. A second problem is the present lack of clear standards for courts to be guided by in making their judgment as to what disposition is most likely to be in the best interests of the particular child.

The state's intervention in a family's life carries with it a grave responsibility. If the laws governing C&P proceedings are not responsive to the complex needs and problems of the families within the commonwealth, this responsibility is not being met. When removal from the home is in a child's best interest, the responsibility shouldered by the state can only be met if the alternatives to the child's family life, i.e., foster care, group care, adoption, are an improvement over that life and are responsive to the child's needs.

Unquestionably, a major safeguard for the protection of the child's interests is the appointment of counsel, separate and independent from the parents' lawyer and other persons involved in the case, to represent those interests. The child's counsel can and should diligently represent the child's wishes, evaluate and formulate alternatives for the child, take any appropriate appeals, and follow the child's post-adjudicatory placement to insure that the court's order is carried out. At the present time, counsel for the child is not mandated by law in a C&P proceeding. The practice of such appointment, however, hopefully will become common practice in the courts.



- IV. The following list provides a short description and discussion of various laws and legal concepts which affect minors in Massachusetts or about which information is frequently requested.

A. Age of Majority

The age of majority is the age established by statute when a person is no longer treated as or afforded the protections of a minor in the eyes of the law, but is given all of the rights and responsibilities of adulthood. In 1974 the age of majority was lowered from twenty-one years of age to eighteen years of age by chapter 925 of the Acts of 1973. Consequently, anyone eighteen years of age or older is no longer a minor.

B. Contracts

In general terms, a contract is an oral or written agreement between two or more people which determines the rights, responsibilities or obligations between those people. The more common kinds of transactions involving contracts are the purchase and sale of houses, cars and personal goods, leases and employment. In Massachusetts the contracts of minors are voidable at the option of the minor unless the goods or services involved are necessities that the parents are unwilling or unable to supply. Frye v. Yasi, 327 Mass. 724 (1951); L. A. Hollander Co. v. Porter, 267 Mass. 378 (1929). This means a child may cancel a contract at any time simply because he is a minor. The rationale given for this policy is to afford minors protection from their youth, inexperience and lack of good judgment. The effect of this rule of law is that a minor who has entered into a contract with a non-minor can reap the benefits of the contract by insisting that the other party live up to its terms and yet avoid any burdens that the contract may involve by disaffirming or cancelling the contract.

C. Emancipation of Minors

With respect to minors the term "emancipation" refers to the freeing of a minor from his or her parents' authority and responsibility and in return giving to the minor some of the rights and obligations of adulthood. The emphasis, however, is upon the freeing of the minor from parental authority. Unfortunately, there is little law on the subject of emancipation of minors in Massachusetts. There is no formalized court procedure by which a child may be declared "emancipated". Typically, such factors as marriage, entry into military service, and becoming self-supporting or a combination of these factors have been viewed as emancipating a minor. However, the concept of emancipation is not a clearly established one and would have to be determined on the facts and circumstances of each particular case. Not only are the factors that may lead to a minor being emancipated vague but the result of emancipation is also unclear. Generally, parents are legally responsible for the care and protection, including the support, of their children up until their eighteenth birthday when they reach the age of majority. These parental responsibilities would not continue once a minor has become emancipated. As stated, exactly what rights and responsibilities of adulthood befall an emancipated minor is not clear under Massachusetts law; it would seem safe to say, however, that such laws as those pertaining to drinking, driving and voting and which require an individual to be eighteen or some other particular age would not be affected.



#### D. Birth Control and Abortion

Up until the Supreme Court's decision in Eisenstadt v. Baird, 405 U.S.438 (1972), Massachusetts General Laws, c.272, §§21 and 21A prohibited the sale, prescription and distribution of "any article intended to be used...for the prevention of conception," except by certain health professionals to "any married person." In the above-mentioned case, the court ruled that the statute, which permitted married but not single persons to obtain contraceptives violated the equal protection clause and was therefore unconstitutional.

In Roe v. Wade, 410 U.S.113 (1973), a Texas statute prohibiting abortions except to save the life of the mother, was declared unconstitutional. In that decision the Supreme Court set down guidelines for state regulation of abortion. The guidelines provide that the decision to undergo or perform an abortion on a woman in her first trimester of pregnancy is up to the woman and her physician. After the first trimester, the state may regulate abortion procedures for the purpose of promoting the health and safety of the woman. When the fetus becomes "viable", that is, when it is capable of sustaining life outside the mother's body, the state has an interest in its continued existence and therefore can prohibit the abortion of such a fetus. The effect of Roe was to invalidate the Massachusetts law prohibiting abortion. In response, Massachusetts adopted a new law which complied with Roe, but required minors to obtain the consent of their parent or guardian before they could obtain an abortion. That law has been contested and at the present time a minor may obtain an abortion without either parental consent or court order in Massachusetts, due to Supreme Court Justice Brennan's order in the case of Baird v. Bellotti, which ordered the suspension of the Massachusetts law requiring parental consent pending the results of litigation. The question of whether a minor can legally obtain an abortion without parental consent has not been finally decided by the Supreme Court. In a recent case, Planned Parenthood of Central Missouri v. Danforth, the Supreme Court stated unequivocally that parents cannot be given an absolute veto power over an unmarried minor's right to abortion during the first trimester of pregnancy. Exactly what kind of parental involvement, if any, will be permitted by the Supreme Court in a minor's decision to abort has not been decided. Hopefully, the Baird case will bring an answer to this problem in the not too distant future.

#### E. Employment

Most of the Massachusetts laws regarding employment of minors are found in chapter 149, sections 56-87 of the General Laws. The laws provide limitations on occupations, working hours and conditions for minors. Specifically, the chapter details the occupations minors may be employed in, and the working conditions that must be provided to protect their health and safety. In some cases, minors must obtain employment permits from the superintendent of their school.

There are also federal laws regulating the employment of minors. Federal law sets three minimum ages for employment depending on the type of job. The minimum age for the more hazardous forms of employment such as coal mining and heavy machine work is eighteen. Sixteen is the minimum age for manufacturing occupations, jobs which require the operation of a motor vehicle, and jobs in the retail food and gasoline business. Children between fourteen and sixteen can only work outside of school hours, for not more than three hours a day, eighteen hours a week during the school year, and not more than eight hours a day, forty hours a week when school is not in session.

Some types of employment are exempt from Federal restrictions regardless of age. These include delivering newspapers, acting or performing, working for one's own parent or guardian, and working in agriculture, outside of school hours and within the minor's school district.

F. Marriage - M.G.L. Chapter 207

In Massachusetts it is against the law for a magistrate or minister to perform a marriage where either party is under eighteen without the consent of the parents or guardian unless the minor is domiciled in Massachusetts and there is no parent or guardian living in Massachusetts who is competent to consent. If a marriage is performed, however, and one or both parties is under age, the marriage is valid unless either party is under fourteen, in which case the marriage is void, with no legal divorce or other process being necessary.

Married minors are considered to be emancipated from their parents. A married minor is legally required to support his or her family. Also, a married minor is entitled to assert his minority as a method for voiding most contracts.

G. Medical Care

In 1975 the Massachusetts legislature passed a bill, Chapter 564 of the Acts of 1975, which amended M.G.L. c.112, §12F and which authorizes certain minors to consent to certain medical and dental care without the consent of their parents. This includes any minor who is

- (1) married, widowed or divorced;
- (2) the parent of a child;
- (3) a member of any of the armed forces;
- (4) pregnant, or believes herself to be pregnant;
- (5) living apart from his or her parent or legal guardian and managing his or her own financial affairs;
- (6) reasonably believes him or herself to be suffering from or to have come into contact with any disease, including venereal disease, defined as dangerous to the public health, according to section 6 of chapter 111 of the General Laws.

All records and information obtained in connection with such medical or dental care are confidential between the physician and the minor and may be released only with the minor's consent or upon court order. In addition, the physician may inform the minor's parents or guardian, without the minor's consent, of a condition so serious that the minor's life is endangered.

H. Voting

The 26th amendment to the Constitution gave all citizens of the United States who are eighteen and older the right to vote, a right which cannot be denied by any state. Chapter 28 of the Acts of 1972 brought Massachusetts law into compliance with the Constitution. The laws regarding registration are found in Chapter 51 of the General Laws.

REGION I

1618 Main Street  
Springfield, MA 01103  
(413) 733-4161  
(413) 733-4162

BERKSHIRE AREA

54 Wendall Avenue  
Pittsfield, MA 02101  
499-4492

ADAMS  
ALFORD  
BECKET  
CHESHIRE  
CLARKSBURG  
DALTON  
EGREMONT  
FLORIDA  
GREAT BARRINGTON  
HANCOCK  
HINSDALE  
HOUSATONIC  
LANESBOROUGH  
LEE  
LENOX  
MONTEREY  
MOUNT WASHINGTON  
NEW ASHFORD  
NEW MARLBOROUGH  
NORTH ADAMS  
OTIS  
PERU  
PITTSFIELD  
RICHMOND  
SANDISFIELD  
SAVOY  
SHEFFIELD  
STOCKBRIDGE  
TYRINGHAM  
WASHINGTON  
WEST STOCKBRIDGE  
WILLIAMSTOWN  
WINDSOR

SPRINGFIELD AREA

1618 Main Street  
Springfield, MA 01103  
736-0321  
736-0322

EAST LONGMEADOW  
HAMPDEN  
LONGMEADOW  
SPRINGFIELD  
WILBRAHAM

FRANKLIN AREA

278 Main Street  
Greenfield, MA 01301  
774-5311

ASHFIELD  
BERNARDSTON  
BUCKLAND  
CHARLEMONT  
COLRAIN  
CONWAY  
DEERFIELD  
ERVING  
GILL  
GREENFIELD  
HAWLEY  
HEATH  
LEVERETT  
LEYDEN  
MONROE  
MONTAGUE  
NORTHFIELD  
ROWE  
SHELBURNE  
SHUTESBURY  
SUNDERLAND  
WENDELL  
WHATELY

HOLYOKE-CHICOPEE

276 High Street  
Holyoke, MA 01040  
538-9034

MONSON  
BELCHERTOWN  
CHICOPEE  
GRANBY  
HOLYOKE  
LUDLOW  
SOUTH HADLEY  
WARE  
PALMER

HAMPSHIRE AREA

Vernon Street School  
Vernon Street  
Northampton, MA 01060  
584-7970  
584-7971

AMHERST  
CHESTERFIELD  
CUMMINGTON  
EASTHAMPTON  
GOSHEN  
HADLEY  
HATFIELD  
NORTHAMPTON  
PELHAM  
PLAINFIELD  
SOUTHAMPTON  
WESTHAMPTON  
WILLIAMSBURG  
WORTHINGTON

WESTFIELD AREA

24 Elm Street  
Westfield, MA 01085  
568-3342  
568-3341

AGAWAM  
BLANDFORD  
CHESTER  
FEEDING HILLS  
GRANVILLE  
HUNTINGTON  
MIDDLEFIELD  
MONTGOMERY  
RUSSELL  
SOUTHWICK  
TOLLAND  
WESTFIELD  
WEST SPRINGFIELD



REGION II

75A Grove Street  
Worcester, MA 01605  
791-3136  
727-8773

GREATER WORCESTER

75A Grove Street  
Worcester, MA 01605  
757-8392

AUBURN  
BERLIN  
BOYLSTON  
HOLDEN  
LEICESTER  
PAXTON  
SHREWSBURY  
WEST BOYLSTON  
WORCESTER

NORTH WORCESTER

66 Parker Street  
Gardner, MA 01440  
632-9179

ASHBURNHAM  
ATHOL  
BARRE  
GARDNER  
HARDWICK  
HUBBARDSTON  
NEW BRAINTREE  
NEW SALEM  
OAKHAM  
ORANGE  
PETERSHAM  
PHILLIPSTON  
PRINCETON  
ROYALSTON  
RUTLAND  
TEMPLETON  
WARWICK  
WESTMINSTER  
WINCHENDON

NORTH CENTRAL

515 Main Street  
Fitchburg, MA 01420  
534-0280  
342-8769

ASHBY  
AYER  
BOLTON  
CLINTON  
FITCHBURG  
GROTON  
LANCASTER  
LEOMINSTER  
LUNENBURG  
PEPPERELL  
SHIRLEY  
STERLING  
TOWNSEND

BLACKSTONE VALLEY

189 Main Street  
Milford, MA 01757  
473-3291  
478-3233

BELLINGHAM  
BLACKSTONE  
DOUGLAS  
FRANKLIN  
GRAFTON  
HOPEDALE  
MEDWAY  
MENDON  
MILFORD  
MILLBURY  
MILLVILLE  
NORTHBRIDGE  
SUTTON  
UPTON  
UXBRIDGE

SOUTH CENTRAL

112 Hamilton Street  
Southbridge, MA 01550  
765-9175  
885-5374

BRIMFIELD  
BROOKFIELD  
CHARLTON  
DUDLEY  
EAST BROOKFIELD  
HOLLAND  
NORTH BROOKFIELD  
OXFORD  
SOUTHBRIDGE  
SPENCER  
STURBRIDGE  
WALES  
WARREN  
WEBSTER  
WEST BROOKFIELD

REGION III

Metropolitan State Hospital  
475 Trapelo Road, Building H  
Waltham, MA 02154  
891-7021  
891-0530  
727-1429

CAMBRIDGE/SOMERVILLE

1 Summer Street  
Somerville, MA 02143  
623-5096

CAMBRIDGE  
SOMERVILLE

WALTHAM-WATERTOWN-BELMONT

750 Main Street  
Waltham, MA 02154  
891-8558

BELMONT  
WALTHAM  
WATERTOWN

CONCORD-ASSABET

747 Main Street  
Concord, MA 01742  
369-9591  
369-9597

ACTON  
BEDFORD  
BOXBOROUGH  
CARLISLE  
CONCORD  
HARVARD  
LINCOLN  
LITTLETON  
MAYNARD

MYSTIC VALLEY

21 Church Street  
Winchester, MA 01890  
729-4350

ARLINGTON  
BURLINGTON  
LEXINGTON  
WILMINGTON  
WINCHESTER  
WOBURN

LOWELL

224 Worthen Street  
Lowell, MA 01852  
459-2566

BILLERICA  
CHELMSFORD  
DRACUT  
DUNSTABLE  
LOWELL  
TEWKSBURY  
TYNGSBOROUGH  
WESTFORD

REGION IV

Gregory Street  
Middleton, MA 01949  
774-2396  
727-8787

CAPE ANN

705 Hale Street  
Beverly, MA 01915  
927-5446

BEVERLY  
ESSEX  
GLOUCESTER  
HAMILTON  
IPSWICH  
MAGNOLIA  
MANCHESTER  
ROCKPORT  
TOPSFIELD  
WENHAM

LYNN

1 Market Street  
Lynn, MA 01902  
581-7677  
581-7683

LYNN  
LYNNFIELD  
NAHANT  
SAUGUS  
SWAMPSCOTT

TRI-CITY

484 Broadway  
Everett, MA 02149  
389-5075  
389-2454

EVERETT  
MALDEN  
MEDFORD

HERITAGE

20 New Derby Street  
Salem, MA 01970  
745-9090  
744-1853

DANVERS  
MARBLEHEAD  
MIDDLETON  
PEABODY  
SALEM

LAWRENCE

11 Lawrence Street  
Lawrence, MA 01840  
685-0262

ANDOVER  
LAWRENCE  
METHUEN  
NORTH ANDOVER

EASTERN MIDDLESEX

7 Lincoln Street  
Wakefield, MA 01880  
245-4239

MELROSE  
NORTH READING  
READING  
STONEHAM  
WAKEFIELD

HAVERHILL

69 Summer Street  
Haverhill, MA 01830  
372-0161  
346-9617  
352-6005

AMESBURY  
BOXFORD  
GEORGETOWN  
GROVELAND  
HAVERHILL  
MERRIMAC  
NEWBURY  
NEWBURYPORT  
ROWLEY  
SALISBURY  
WEST NEWBURY



REGION V

1001 Watertown Street  
West Newton, MA 02165  
727-2532

SOUTH MIDDLESEX

125 Irving Street  
Framingham, MA 01701  
875-5264

ASHLAND  
DOVER  
FRAMINGHAM  
HOLLISTON  
HOPKINTON  
NATICK  
SHERBORN  
SUDBURY  
WAYLAND

GREATER MARLBORO

223 Pleasant Street  
Marlboro, MA 01752  
481-3476

HUDSON  
MARLBORO  
NORTHBORO  
SOUTHBORO  
WESTBORO

SOUTH SHORE - QUINCY

1354 Hancock Street  
Quincy, MA 02169  
472- 4224

MILTON  
QUINCY  
RANDOLPH

SOUTH NORFOLK

5 Walpole Street  
Norwood, MA 02062  
762-0717  
668-7262

CANTON  
DEDHAM  
FOXBORO  
MEDFIELD  
MILLIS  
NORFOLK  
NORWOOD  
PLAINVILLE  
SHARON  
WALPOLE  
WESTWOOD  
WRENTHAM

WEST SUBURBAN

474 Centre Street  
Newton, MA 02158  
965-9810  
965-9811

NEEDHAM  
NEWTON  
WELLESLEY  
WESTON

COASTLINE

195 Whiting Street  
Hingham, MA 02043  
749-2719

BRAINTREE  
COHASSET  
HINGHAM  
HULL  
NORWELL  
SCITUATE  
WEYMOUTH

REGION VI

120 Boylston Street  
Boston, MA 02116  
727-8898  
727-8367  
727-6804

Area 1  
SOUTH DISTRICT

592 Hyde Park Avenue  
Roslindale, MA 02131  
323-0955

MATTAPAN  
WEST ROXBURY  
HYDE PARK  
DORCHESTER  
ROSLINDALE

Area 2  
LOWER ROXBURY

682 Tremont Street  
Boston, MA 02116  
262-2540

ROXBURY  
SOUTH END  
BACK BAY

Area 3A  
CAPITOL

35 Saratoga Street  
East Boston, MA 02128  
567-6583  
567-6586

NORTH END  
CHARLESTOWN  
EAST BOSTON  
BEACON HILL

Area 3B  
CHELSEA, REVERE, WINTHROP

35 Saratoga Street  
East Boston, MA 02128  
567-6583  
567-6586

CHELSEA  
REVERE  
WINTHROP

Area 4  
BOS-LINE

824 Huntington Avenue  
Boston, MA 02155  
738-4518  
738-4519

FENWAY  
ALLSTON  
BRIGHTON  
JAMAICA PLAIN  
MISSION HILL  
BROOKLINE

Area 5  
BAYSIDE

990 Dorchester Avenue  
Dorchester, MA 02125  
288-6600

DORCHESTER  
SOUTH BOSTON  
CHINATOWN  
COLUMBIA POINT

REGION VII

Lakeville Hospital  
Lakeville, MA 02346  
947-1231 ext 233

PLYMOUTH

130 Court Street  
Plymouth, MA 02360  
746-5101  
727-8945

CARVER  
DUXBURY  
HALIFAX  
HANOVER  
HANSON  
KINGSTON  
MARSHFIELD  
NORWELL  
PEMBROKE  
PLYMOUTH  
PLYMPTON  
ROCKLAND

BROCKTON

47 High Street  
Brockton, MA 02402  
583-3464  
588-6428  
727-8363

ABINGTON  
AVON  
BRIDGEWATER  
BROCKTON  
EAST BRIDGEWATER  
EASTON  
HOLBROOK  
STOUGHTON  
WEST BRIDGEWATER  
WHITMAN  
ROCKLAND

CAPE & THE ISLANDS

298 Main Street  
Hyannis, MA 02601  
771-2151  
727-7723

BARNSTABLE  
BOURNE  
BREWSTER  
CHATHAM  
CHILMARK  
DENNIS  
EASTHAM  
EDGARTOWN  
FALMOUTH  
GAY HEAD  
HARWICH  
MARTHA'S VINEYARD

ATTLEBORO

Bates Building, Room 219  
7 North Main Street  
Attleboro MA 02703  
226-2336  
727-8948

ATTLEBORO  
FOXBORO  
MANSFIELD  
NORTH ATTLEBORO  
NORTON

TAUNTON

5 Main Street  
Taunton, MA 02780  
823-7200  
727-8548

BERKELEY  
DIGHTON  
LAKEVILLE  
MIDDLEBORO  
RAYNHAM  
REHOBOTH  
SEEKONK  
TAUNTON

NEW BEDFORD

488 Pleasant Street  
New Bedford, MA 02740  
997-4531  
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